

IN RE: PETITION FOR VARIANCE
S/S Glenhurst Road, 27' E of
the c/l Cove Road
(3911 Glenhurst Road)
15th Election District
7th Councilmanic District

Richard DiPasquale, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-481-A
*

* * * * *

ORDER ON MOTION FOR RECONSIDERATION

WHEREAS, this matter came before this Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Richard and Dina DiPasquale, and the Contract Purchaser, Carpentry Unlimited, by Mark A. Fuchsluger, seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 304 to permit construction on an undersized lot; from Section 1B02.3.C.1 to permit a lot width of 50 feet in lieu of the required 55 feet; and, from Section 1B02.3.C.2.c, Diagram V of the Zoning Commissioner's Policy Manual, to permit a street side yard setback of 10 feet in lieu of the required 25 feet, for a proposed single family dwelling. The subject property and relief sought were depicted on the site plan submitted with the Petition filed which was marked into evidence as Petitioner's Exhibit 1.

The Owners were unable to attend the public hearing, which was held on July 21, 1998; however, Vincent J. Moskunas, Professional Engineer with M & H Development Engineers, Inc., the consulting firm which prepared the site plan for this property, appeared on behalf of the Owners and the Contract Purchaser. Mr. Guido Guarnaccia and Reverend Bernard Bennett, who reside on property adjacent to the subject site, appeared and testified in opposition to the request.

ORDER RECEIVED FOR FILING

Date 10/6/98

By [Signature]

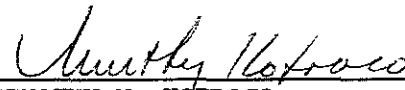
Based upon the compelling testimony and evidence presented at the hearing by the Protestants, I denied the relief requested by my Order dated August 24, 1998.

Subsequent to the issuance of said Order, Mr. DiPasquale, owner of the subject property, filed a Motion for Reconsideration, by his letter dated and received September 15, 1998, in which he requested an opportunity to appear before me to present testimony from his perspective in support of the requested variances.

After considering the Petitioner's request, however, I am not persuaded to hold another hearing on this matter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of October, 1998 that the Motion for Reconsideration in the above-captioned matter be and the same shall hereby be DENIED; and,

IT IS FURTHER ORDERED that the property owner's right to file an appeal of my prior decision in this matter shall be preserved and any appeal regarding this matter may be filed within thirty (30) days of the date of this Order on the Motion for Reconsideration.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Richard DiPasquale
1837 White Oak Road, Baltimore, Md. 21234

Mr. Mark A. Fuchsluger, Carpentry Unlimited
2118 Riverview Road, Baltimore, Md. 21221

Mr. Vincent J. Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Baltimore, Md. 21286

Mr. Guido Guarnaccia, 3912 Glenhurst Road, Baltimore, Md. 21222
Rev. Bernard Bennett, 3915 Glenhurst Road, Baltimore, Md. 21222

People's Counsel; Case File

IN RE: PETITION FOR VARIANCE
S/S Glenhurst Road, 27' E of
the c/l Cove Road
(3911 Glenhurst Road)
15th Election District
7th Councilmanic District

Richard DiPasquale, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-481-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance filed by the owners of the subject property, Richard and Dina DiPasquale, and the Contract Purchaser, Carpentry Unlimited, by Mark A. Fuchsluger. The Petitioners seek relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 304 to permit construction on an undersized lot; from Section 1B02.3.C.1 to permit a lot width of 50 feet in lieu of the required 55 feet; and, from Section 1B02.3.C.2.c, Diagram V of the Zoning Commissioner's Policy Manual, to permit a street side yard setback of 10 feet in lieu of the required 25 feet. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners was Vincent J. Moskunas, Professional Engineer with M & H Development Engineers, Inc., the consulting firm which prepared the site plan for this property. Appearing as Protestants in the matter were Guido Guarnaccia and Reverend Bernard Bennett, adjoining property owners.

Testimony and evidence offered revealed that the subject property consists of a gross area of 6,153 sq.ft., zoned D.R. 5.5, and is located not far from Back River in the subdivision of Glenhurst, an older community

ORDER RECEIVED FOR FILING

Date 5/24/98

By [Signature]

in Dundalk which was subdivided and recorded in 1938. The property is an unimproved lot with frontage on both Glenhurst Road on the north, and Edgewater Place to the south, and is bordered by what used to be an extension of Cove Road along its western boundary line. The Petitioners purchased the subject property at a tax sale in 1995 and are now desirous of developing the site with a single family dwelling which will be offered for sale. Due to the narrow width of the property and its small size, the requested variances are necessary in order to proceed with the proposed development.

As noted above, Mr. Guido Guarnaccia and Reverend Bernard Bennett appeared in opposition to the request. Mr. Guarnaccia lives across the street from the subject property, and Reverend Bennett resides on the adjacent property. Both gentlemen testified as to the history of the surrounding community and in particular, the number of traffic accidents that have occurred at the intersection of Cove Road and Edgewater Place to the rear of the subject property. Testimony revealed that a trucking company exists in close proximity to the subject site and that tractor trailers going to that business have had a difficult time stopping at the bottom of Cove Road where it intersects with Edgewater Place. In addition, passenger vehicles have had a difficult time stopping and negotiating the turn at Edgewater Place. Newspaper articles and photographs were submitted by the Protestants showing the very dangerous situation that exists at this location. Cove Road is a four-lane highway that runs from North Point Boulevard, across the Patapsco Freeway (Baltimore Beltway, I-695), through a mix of manufacturing/industrial uses, and into the residential community of Glenhurst. Apparently, Cove Road ran adjacent to the subject property at one time and previously terminated at Glenhurst Road. However, testimony

revealed that years ago, the citizens in this community successfully petitioned Baltimore County to reduce Cove Road to a two-lane highway beyond its intersection with Edgewater Place where the residential community of Glenhurst began. Given that a four-lane highway in this area was not necessary, the County agreed to close one-half of Cove Road and that section of the roadbed was used by the community as a park. In addition, concrete barriers were installed in an attempt to protect the yards and houses of nearby residents from out of control vehicles coming down Cove Road. However, title to that portion of Cove Road was never deeded to the community. It is that old bed of Cove Road which the Petitioners now seek to develop with a single family dwelling. The Protestants fear that this is a dangerous location for a house to be built and that anyone who would reside there would be in danger.

In view of the issues raised by the Protestants, I made a site visit to the property to determine whether the relief requested was appropriate. After considering the testimony and evidence offered by the Protestants, and in view of my personal observations during my site visit to the property, I am persuaded to deny the requested variances. It was clear from my perspective that the subject property is located too close to a dangerous intersection and is not suitable for development with a residence given the number of accidents that have occurred at this location. It is also clear that the relief requested, if granted, would be detrimental to the health, safety and general welfare, not only of any prospective buyer, but also the surrounding locale. Thus, I am compelled to deny the request.

Pursuant to the advertisement, posting of the property, and public hearing held thereon, and for the reasons set forth above, the Petition for Variance shall be denied.

ORDER RECEIVED FOR FILING

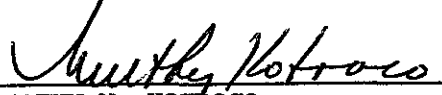
Date

By

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of August, 1998 that the Petition for Variance seeking relief from Section 304 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit construction on an undersized lot, and from Section 1B02.3.C.1 of the B.C.Z.R. to permit a lot width of 50 feet in lieu of the required 55 feet, and from Section 1B02.3.C.2.c, (Diagram V of the Zoning Commissioner's Policy Manual to permit a street side yard setback of 10 feet in lieu of the required 25 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petitioners shall have thirty (30) days from the date of this Order to file an appeal of this decision.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date 8/24/98

By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 24, 1998

Mr. & Mrs. Richard DiPasquale
1837 White Oak Road
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
S/S Glenhurst Road, 27' E of the c/l Cove Road
(3911 Glenhurst Road)
15th Election District - 7th Councilmanic District
Richard DiPasquale, et ux - Petitioners
Case No. 98-481-A

Dear Mr. & Mrs. DiPasquale:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Mark A. Fuchsluger, Carpentry Unlimited
2118 Riverview Road, Baltimore, Md. 21221

Mr. Vincent J. Moskunas, M & H Development Engineers, Inc.
200 E. Joppa Road, Baltimore, Md. 21286

Mr. Guido Guarnaccia, 3912 Glenhurst Road, Baltimore, Md. 21222

Rev. Bernard Bennett, 3915 Glenhurst Road, Baltimore, Md. 21222

People's Counsel; Case Files



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

#3911 Glenhurst Road

which is presently zoned

D.R.5.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 304 to permit construction on an undersized lot AND 1B02.3.C.1. to allow a lot width of 50' in lieu of the required 55' and Section 1B02.3.C.2.c, diagram V of ZCPM to permit a street side yard setback of 10' in lieu of the required 25'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Lot recorded in 1938, no additional ownership to add to width.
2. State Road Commission located road through recorded lots to make this a corner and not an interior lot
3. Lot recorded as 50'x125'

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee: Carpentry Unlimited

Mark Fuchslager

(Type or Print Name)

(X) MARK A. Fuchslager

Signature

2118 Riverview Road

Address

Baltimore, MD 21221

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Richard Dipasquale

(Type or Print Name)

(X) Richard Dipasquale by
Dina Dipasquale

(Type or Print Name)

Signature

1837 White Oak Road (410) 668-1774 info

Address

Phone No.

Baltimore, MD 21234

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

M&H Development Engineers, Inc.

Vincent J. Moskunus

Name

200 E. Joppa Road Room 101

(410) 828-9060

Address Towson, MD 21286

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



Printed with Soybean Ink
on Recycled Paper

Revised 9/5/02

98-481-A

481

ORDER RECEIVED FOR FILING

Date

By

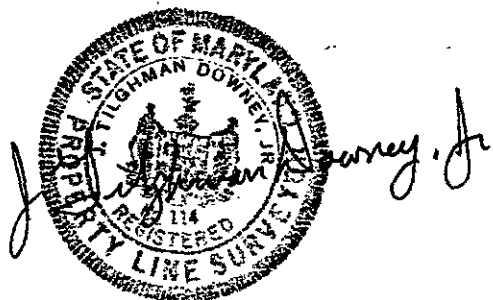
M. & H. DEVELOPMENT ENGINEERS, INC.

200 EAST JOPPA ROAD
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21286

June 10, 1998

ZONING DESCRIPTION FOR #3911 Glenhurst Road

Beginning at a point on the South side of Glenhurst Road which is 50' wide at the distance of 27' East of the centerline of Cove Road which is 55' wide. Being Lot #17A in the subdivision of Glenhurst as recorded in Baltimore County Plat Book #12, folio #22, containing 6153 square feet. Also known as #3911 Glenhurst Road and located in the 15th. Election District, 7th. Councilmanic District.



J. Tilghman Downey, Jr.

98-481-A
A81

CERTIFICATE OF PUBLICATION

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #98-481-A
3911 Glenhurst Road
SWC Glenhurst and Cove
Roads
15th Election District
7th Councilmanic District
Legal Owner(s): Richard Di-
pasquale & Dina Dipasquale
Contract Purchaser: Carpen-
try Unlimited

Variance: to permit con-
struction on an undersized lot;
to allow a lot width of 50 feet in
lieu of the required 55 feet; to
permit a street side yard set-
back of 10 feet in lieu of the re-
quired 25 feet.

Hearing: Tuesday, July 21,
1998 at 11:00 a.m., in Room
407, County Courts Bldg.,
401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations.
Please Call (410) 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

7/078 July 2, C240870

TOWSON, MD., 7/21, 1998

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 7/21, 1998

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

No. 056160

PAID RECEIPT
PROCESS ACTUAL TIME
6/12/1998 6/12/1998 11:23:33
REG MSG03 CASHIER PUES PEM DRAWER 3
5 MISCELLANEOUS CASH RECEIPT
Receipt # 048750 OF 1
CR NO. 056160

RECEIVED FROM: Cipresky, Unlited (Pack Fish/s/leg) Baltimore County, Maryland

FOR: 3911 Glenhurst Rd

VADANCE

98-481-A

CASHIER'S VALIDATION

98-481-A

CERTIFICATE OF POSTING

RE: Case # 98-481-A
Petitioner/Developer:
(Carpentry Unlimited)
Date of Hearing/Closing:
(July 21, 1998)

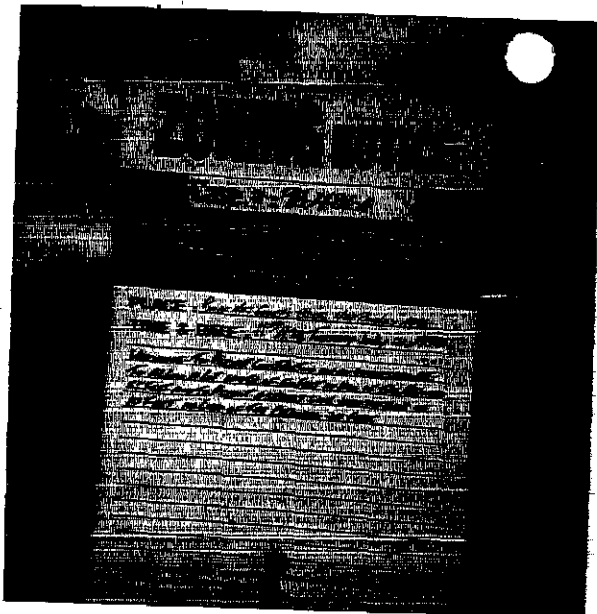
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
3911 Glenhurst Road Baltimore, Maryland 21219 _____

The sign(s) were posted on _____ July 6, 1998 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

CERTIFICATE OF POSTING

Mark, F.Y.I
and files

July 9, 98

RE: Case # 98-481-A
Petitioner/Developer:
(Carpentry Unlimited)
Date of Hearing/Closing:
(July 21, 1998)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by
law were posted conspicuously on the property located at _____
3911 Glenhurst Road Baltimore, Maryland 21219 _____

The sign(s) were posted on _____ July 6, 1998 _____
(Month, Day, Year)

Sincerely,


(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.

325 Nicholson Road

Baltimore, Maryland 21221

(410)-687-8485
(Telephone Number)

Post-It® Fax Note	7671	Date	7-9-98	# of pages	1
To	M & H	From	Tom Ogle		
Co./Dept.		Co.			
Phone #	410-828-9060	Phone #	410-687-8405		
Fax #	410-828-9066	Fax #	410-687-4381		

**DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW**

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 98-481-A

Petitioner: Mark Fuchslager Carpentry Unlimited

Address or Location: 3911 Glenhurst Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Carpentry Unlimited % Mark Fuchslager

Address: 2118 Riverview Road

Baltimore MD 21221

Telephone Number: (410) 574-0008

Revised 2/20/98 - SCJ

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than _____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 98-481-A

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: _____

DATE AND TIME: _____

REQUEST: VARIANCE to permit construction of an undersized
lot and to permit a lot width of 50 in lieu of
the required 55' and a street side setback
of 10' in lieu of the required 25'

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY
July 3, 1998 Issue - Jeffersonian

Please forward billing to:

Carpentry Unlimited
c/o Mark Fuchslager
2118 Riverview Road
Baltimore, MD 21221

410-574-0008

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-481-A
3911 Glenhurst Road
SWC Glenhurst and Cove Roads
15th Election District - 7th Councilmanic District
Legal Owner: Richard Dipasquale & Dina Pasquale
Contract Purchaser: Carpentry Unlimited

Variance to permit construction on an undersized lot; to allow a lot width of 50 feet in lieu of the required 55 feet; and to permit a street side yard setback of 10 feet in lieu of the required 25 feet.

HEARING: Tuesday, July 21, 1998 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS
PLEASE CALL 410-887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-
887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 23, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-481-A
3911 Glenhurst Road
SWC Glenhurst and Cove Roads
15th Election District - 7th Councilmanic District
Legal Owner: Richard Dipasquale & Dina Pasquale
Contract Purchaser: Carpentry Unlimited

Variance to permit construction on an undersized lot; to allow a lot width of 50 feet in lieu of the required 55 feet; and to permit a street side yard setback of 10 feet in lieu of the required 25 feet.

HEARING: Tuesday, July 21, 1998 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

c: Dina & Richard Dipasquale
Carpentry Unlimited
M&H Development Engineers, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 6, 1998.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.**





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 14, 1998

Mr. Vincent J. Moskunas
M & H Development Engineers, Inc.
200 E. Joppa Road, Room 101
Towson, MD 21286

RE: Item No.: 481
Case No.: 98-481-A
Petitioner: Richard and Dina
Dipasquale
Location: 3911 Glenhurst Road

Dear Mr. Moskunas:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 11, 1998.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

July 2, 1998

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 22, 1998

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

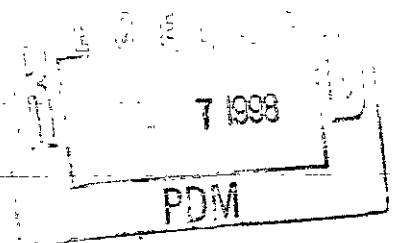
8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

476, 477, 479, (481), 484

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

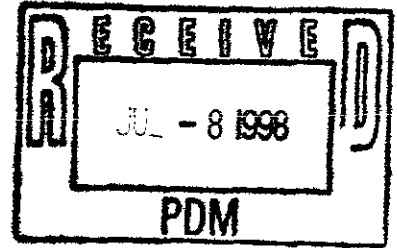


Due Date: 6/29/98

TO: Arnold Jablon

FROM: R. Bruce Seeley *RSJ/98*

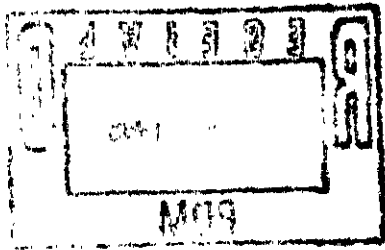
SUBJECT: Zoning Item #481



Dipasquale Property, 3911 Glenhurst Road

Zoning Advisory Committee Meeting of 6/22/98

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - Development of this property must comply with the Forest Conservation Regulations (Section 14-401 through 14-422 of the Baltimore County Code).
 - X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: June 26, 1998

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for June 29, 1998
 Item No. 481

The Development Plans Review Division has reviewed the subject zoning item. A review of our microfilmed topography position sheet 6SE28, dated 11/95 (copy attached), of the Cove Road area at Glenhurst Road shows a 52-foot-wide public road with curbs intersecting Glenhurst Road at the proposed building lot 17A indicated on the petition plat.

This road improvement was part of the State Highway Administration Route 695 Patapsco Freeway project. See drawing #74-0694 and S.R.C. Right-of-way Plat #35514. Subsequently, Cove Road maintenance was turned over to the County.

The width of the right-of-way for Cove Road varies from the Patapsco Freeway to Glenhurst Road.

RWB:HJO:jrb

cc: File

ZONE0629.481

Sen
7/21

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
and Development Management

DATE: June 29, 1998

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: 3911 Glenhurst Road

INFORMATION

Item Number: 481

Petitioner: Carpentry Unlimited

Zoning: DR 5.5

Requested Action: Variance

Summary of Recommendations:

Please see attached the undersized lot application dated June 29, 1998.

Section Chief:



AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 6-22-91
Item No. 481 CAM

Dear Ms. Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

RE: PETITION FOR VARIANCE
3911 Glenhurst Road, SWC Glenhurst and Cove
Roads, 15th Election District, 7th Councilmanic

Legal Owners: Richard and Dina DiPasquale
Contract Purchaser: Carpentry Unlimited

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 98-481-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.



Peter Max Zimmerman
People's Counsel for Baltimore County



Carole S. Demilio
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of July, 1998, a copy of the foregoing Entry of Appearance was mailed to Vincent J. Moskunas, M & H Development Eng., Inc., 200 E. Joppa Road, Room 101, Towson, MD 21286, representative for Petitioner(s).



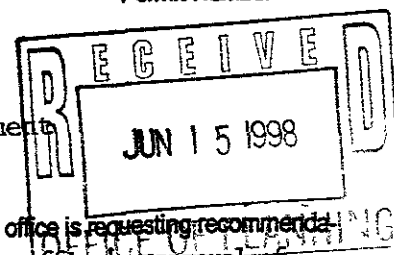
PETER MAX ZIMMERMAN

**INTER-OFFICE CORRESPONDENCE
RECOMMENDATION FORM**

TO: Director, Office of Planning & Community Conservation
Attn: Ervin McDaniel
County Courts Bldg, Rm 406
401 Bosley Av
Towson, MD 21204

FROM: Arnold Jablon, Director, Department of Permits & Development Management

B Permit Number



RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ **Carpentry Unlimited c/o Mark Fuchslager** 2118 Riverview Road Baltimore, MD 21221
Print Name of Applicant Address Telephone Number

☐ **Lot Address** #3911 Glenhurst Road **Election District** 15 **Council District** 7 **Square Feet** 6153

Lot Location: ^{NE} ~~WESW side~~ corner of Cove Rd & Glenhurst Rd feet from N E S W corner of _____
(street) (street)

Land Owner Richard & Dina Dipasquale **Tax Account Number** _____

Address 1837 White Oak Road **Telephone Number** (410) 668-1774
Baltimore, MD 21234

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation

	YES	NO
1. This Recommendation Form (3 copies)	<u>X</u>	___
2. Permit Application	<u>n/a</u>	___
3. Site Plan		
Property (3 copies)	<u>X</u>	___
Topo Map (available in Rm 206 C.O.B.) (2 copies) (please label site clearly)	<u>X</u>	___
4. Building Elevation Drawings	<u>X</u>	___
5. Photographs (please label all photos clearly)		
Adjoining Buildings	<u>X</u>	___
Surrounding Neighborhood	<u>X</u>	___

Residential Processing Fee Paid
Codes 030 & 080 (\$85)

Accepted by: _____
ZADM

Date: _____

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☒ **Approval**

☐ **Disapproval**

☒ **Approval conditioned on required modifications of the permit to conform with the following recommendations:**

Each elevation should be improved with windows to insure compatibility with existing homes in the immediate vicinity.

Signed by: Jeffrey W. Law
for the Director, Office of Planning & Community Conservation

Date: 6/29/98

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted
for filing by _____ on _____ Date (A)

A sign indicating the proposed Building must be posted on the property for
fifteen (15) days before a decision can be rendered. The cost of filing is
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,
a decision can be expected within approximately four weeks. However, if a valid
demand is received by the closing date, then the decision shall only be rendered
after the required public special hearing.

*SUGGESTED POSTING DATE _____ D (15 Days Before C)

DATE POSTED _____

HEARING REQUESTED-YES _____ NO _____ -DATE _____

CLOSING DAY (LAST DAY FOR HEARING DEMAND) _____ C (B-3 Work Days)

TENTATIVE DECISION DATE _____ B (A + 30 Days)

*Usually within 15 days of filing

CERTIFICATE OF POSTING

District _____

Location of property: _____

Posted by: _____ Date of Posting: _____
Signature

Number of Signs: _____

FOWLEY & BECKLEY, P.A.

ATTORNEYS-AT-LAW

11 EAST LEXINGTON STREET

FOURTH FLOOR

BALTIMORE, MARYLAND 21202-1759

EDWARD A. HALLE, JR.
TELEPHONE EXTENSION 106

(410) 547-1919

FAX: (410) 547-1928

September 17, 1998

Commissioner Timothy M. Kotroco,
Deputy Zoning Commissioner
for Baltimore County
Suite 405
County Courts Building
401 Bosley Avenue
Towson, MD 21204

VIA FACSIMILE TO (410) 887-3468
AND BY REGULAR FIRST CLASS MAIL

Re: Case No. 98-451-SPH
Harvey M. Meyerhoff and Eugene H. Schreiber, Trustees/Owners;
Edward A. Halle, Jr., et al, Contract Purchasers

REQUEST FOR EXTENSION OF DEADLINE

Dear Commissioner Kotroco:

In your Order of July 27, 1998 in the above reference matter you very kindly granted the Petitioner's request and imposed a requirement that a new Deed be recorded within sixty (60) days of the date of your Order (July 27, 1998). The transaction involves preparation of six new legal descriptions based on surveys and we are having a hard time completing the preparation of the legal descriptions within the sixty day time limit. I am therefore writing to request that you consider giving us an extension of thirty (30) days to complete the necessary actions and record the Deeds.

As you may recall, there was no opposition to Petitioner's request for approval.

As always, I am appreciative of your consideration of this request for an extension.

Very truly yours,



Edward A. Halle, Jr.

EAH:rl

*Extension Granted
TMD 9/17/98*

POWER OF ATTORNEY TO SELL AND CONVEY REAL PROPERTY

KNOW ALL MEN BY THESE PRESENTS, that I/We Richard J. DiPasquale & Dina DiPasquale, residing at 7509 Glenhurst Lane, #1007, Old Orchard Beach, MD 21076 33446 do hereby nominate, constitute and appoint JAMES I. BUTLER SR of CENTURY 21 HORIZON REALTY INC, my/our true and lawful attorney in fact, with respect to the following described property known as Glenhurst Road Dundalk, Mo 21222, for me/us and in my/our name, place and stead by full covenant and warranty deed (or other kind of conveyance) to grant, bargain, sell and convey the premises hereinbefore described for such price and on such terms of deferred payment or otherwise, with or without the taking back of a purchase money mortgage, as to him/her seems proper and to receive the proceeds of any such sale, and to grant, and sell and convey any interest in the said premises or any part thereof, and to enter into any contract or contracts for the sale of said premises on such terms as he/she shall in his/her discretion elect to execute, acknowledge and deliver in my/our name any deed or instrument of conveyance that may be required for the transfer of said property or any part thereof or interest therein.

AND I/We hereby give and grant unto my/our said attorney in fact, full power and authority to do and perform every act necessary, requisite or proper to be done in and about the premises as fully as I/We might or could do were I/We personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my/our said attorney shall lawfully do or cause to be done by virtue hereof.

IT is specifically agreed and affirmed that this Power of Attorney should not be affected by the disability of the principal, the undersigned, and that the authority of the herein named Attorney in Fact shall be exerciseable by him/her notwithstanding the later disability or incapacity of the undersigned principal.

WITNESS

(SEAL)

(SEAL)

STATE OF MARYLAND, Harford Co, to wit:

I HEREBY CERTIFY, That on this 14 day of October, 1997, before me, the subscriber, a Notary Public in and for the State and County aforesaid personally appeared Richard J. DiPasquale & Dina DiPasquale, and he/she has made oath in due form of law that the matters and facts set forth in the foregoing Power of Attorney are true and correct to the best of his/her knowledge, information and belief.

AS WITNESS my hand and Notarial Seal.

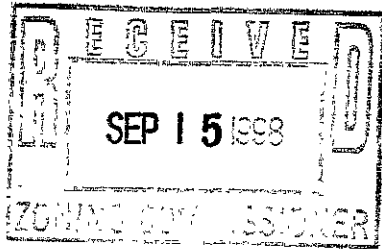
Robert F. Hirsch, Jr., Notary Public
Harford County
State of Maryland

My Commission Expires June 6, 1999

NOTARY PUBLIC

My Commission expires

98-481-A



1837 WHITE OAK Av.
BALTIMORE, MD, 21234

SEPTEMBER 15, 1998

TIMOTHY KOTROCCO
DEPUTY ZONING COMMISSIONER FOR BALTO. COUNTY
SUITE 405 COUNTY COURT BLDG.
401 BOSLEY Av.
TOWSON, MD. 21204

RE: PETITION FOR VARIANCE
3911 GLENHURST Rd.
CASE # 98-481 A

DEAR COMMISSIONER:

PLEASE ACCEPT THIS WRITING AS A REQUEST FOR RECONSIDERATION OF YOUR DECISION OF AUGUST 24, 1998. ALTHOUGH I AM THE PROPERTY OWNER, I WAS UNABLE TO ATTEND THE HEARING ON JULY 21, 1998 AS I LIVE IN DELRAY BEACH, FLORIDA.

THIS MATTER WAS ATTENDED BY THE CONTRACT BUYER, CARPENTRY UNLIMITED, AND HIS ENGINEER, VINCENT J. MOSKUNAS OF M. & H. DEVELOPMENT ENGINEERS.

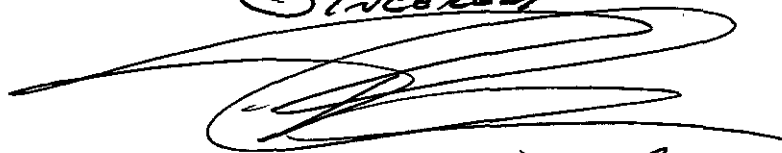
I AM HEREBY REQUESTING THE OPPORTUNITY TO APPEAR AT A HEARING OR

IN CAMERA TO PRESENT MY PERSPECTIVE AND
DISCUSS THE MERITS OF THIS FILING.

MANY THANKS FOR YOUR CONSIDERATION OF
THIS REQUEST, AND YOUR HANDLING THEREOF.

I WILL BE IN BALTIMORE UNTIL OCTOBER
4, 1998 AND WILL RETURN ON MAY 5, 1999 AND
APPRECIATE YOUR CONSIDERATION IN SCHEDULING
EITHER BEFORE, OR AFTER THESE DATES.

SINCERELY



RICHARD J. DI PASQUALE
410-668-1774

P.S. I UNDERSTAND MY APPEAL TIME DOES
NOT TOLL UNTIL THIS RECONSIDERATION
HAS CONCLUDED.

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME

ADDRESS

GILDO-GUARNACCIA

3912-GLENHURST Rd. Balto^{MD} 21222

Rev. Bernard Bennett

3915 GLENHURST Rd. Balto 21222



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
M&H DEV. ENG, INC.
VINCENT J. MOSKUNAS

ADDRESS
200 E. JOPPA. ROAD. 21286



E 40.50

E 95.0

E 42.0

LOCATION
NORTH POINT
SHEET S.E. 2-G

BACK

RIVER

N 529.00

PIERS

PIERS

PIERS

S 5.00

DR-5.5

EDGEWATER

PIER

#2911
SITE

PIERS

GLENHURST

D.R. 3.5

MH

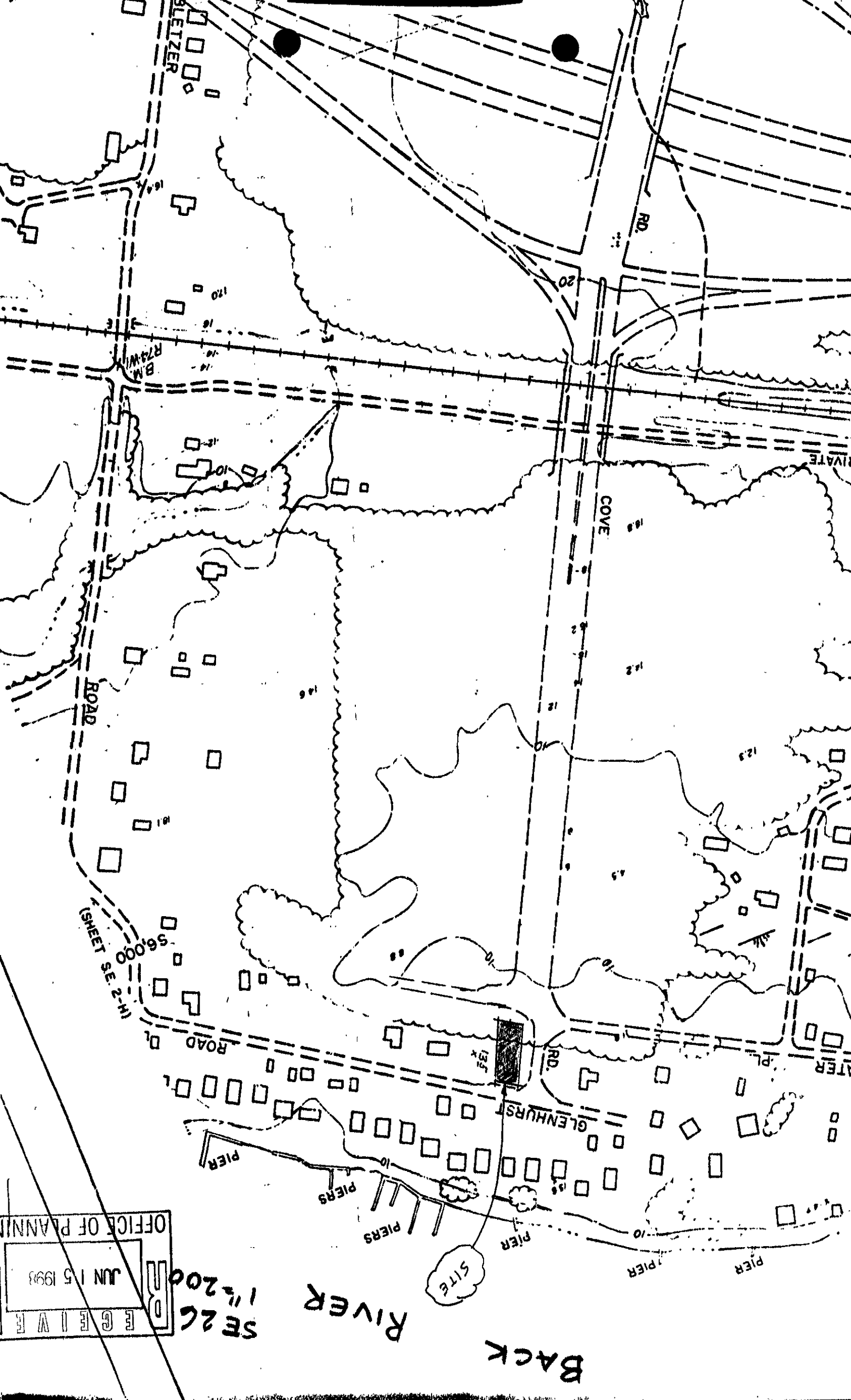
D.R. 5.5

ROAD

98-481-A

R.D.

481



SE 26
1"=200'
ENGINEER
JUN 15 1993
OFFICE OF PLANNING

THIS DEED, is made this 27 day of Aug, 1995,

by and between JAMES R. GIBSON, JR., Director of the Office of Finance and Collector of State Taxes for the County of Baltimore, party of the first part, and RICHARD J. DIPASQUALE and DINA DIPASQUALE, his wife, parties of the second part.

WHEREAS, heretofore, state and county taxes on the lot of ground hereinafter described, having been due and unpaid, the Director of the Office of Finance and Collector of State Taxes, after having given due notice and having complied with all other prerequisites provided by law, did sell the herein-referenced property on May 20, 1993 to the said Dina DiPasquale, in accordance with the provisions of law; and the said property having not been redeemed; and the purchase money having been paid; and

WHEREAS, by decree of the Circuit Court of Baltimore County dated the 1st day of August, 1995, it was ordered that an absolute and indefeasible title in fee simple to the said property should vest in the said Dina DiPasquale, as will more fully appear from proceedings relating thereto entitled Dina DiPasquale vs. William T. Grammer, Jr. and Gladys V. Grammer, et al, Circuit Court for Baltimore County case no. 105/37/95CV2082.

NOW, THEREFORE, THIS DEED WITNESSETH, that for and in consideration of the premises and the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, the said James R. Gibson, Jr., the Director of the Office of Finance and Collector of State Taxes in the County of Baltimore, by virtue and in pursuance of the power and authority in him vested, doth grant and convey unto Richard J. DiPasquale and Dina DiPasquale, his wife, in fee simple, forever, all that lot of ground situate, lying, or being in Baltimore County, State of Maryland aforesaid, and known as or described as follows:

PROPERTY NO.: 15-07-582061
lot 17-A, Glenhurst Road

BEING part of the same property which, by Deed dated December 23, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1801, folio 514&c, was granted and conveyed by Miller - Nelson, Incorporated, a Maryland Corporation, unto William T. Grammer and Gladys (sic) V. Grammer, his wife.

TOGETHER WITH the buildings and improvements thereon, and all the rights, ways, waters, easements, privileges, advantages, and appurtenances thereunto belonging, or in anywise appertaining.

#3911 GLENHURST Rd.
SHT. 10F. 3

asph/flt shingles on 15# roofing paper
over 7/16" oab rod sheathing with clips
over pre-engineered trusses @ 24" o.c.

aluminum wrap over
2 x 6 sub-fascia with
aluminum vented soffit

continuous ridge vent

trusses in foreground

R-30 blown insulation

12/5

Master Bedroom

Living Room

3/4" subfloor on 2 x 10 joists @ 16" o.c.

8'-0" high 8" poured concrete
foundation wall

3 1/2" steel column
on 30" sq. x 12" deep
footing

JUN 15 1998

EGE & V.E.
OFFICE OF PLANNING

approx. grade

2 x 8 continuous footing
min. below grade

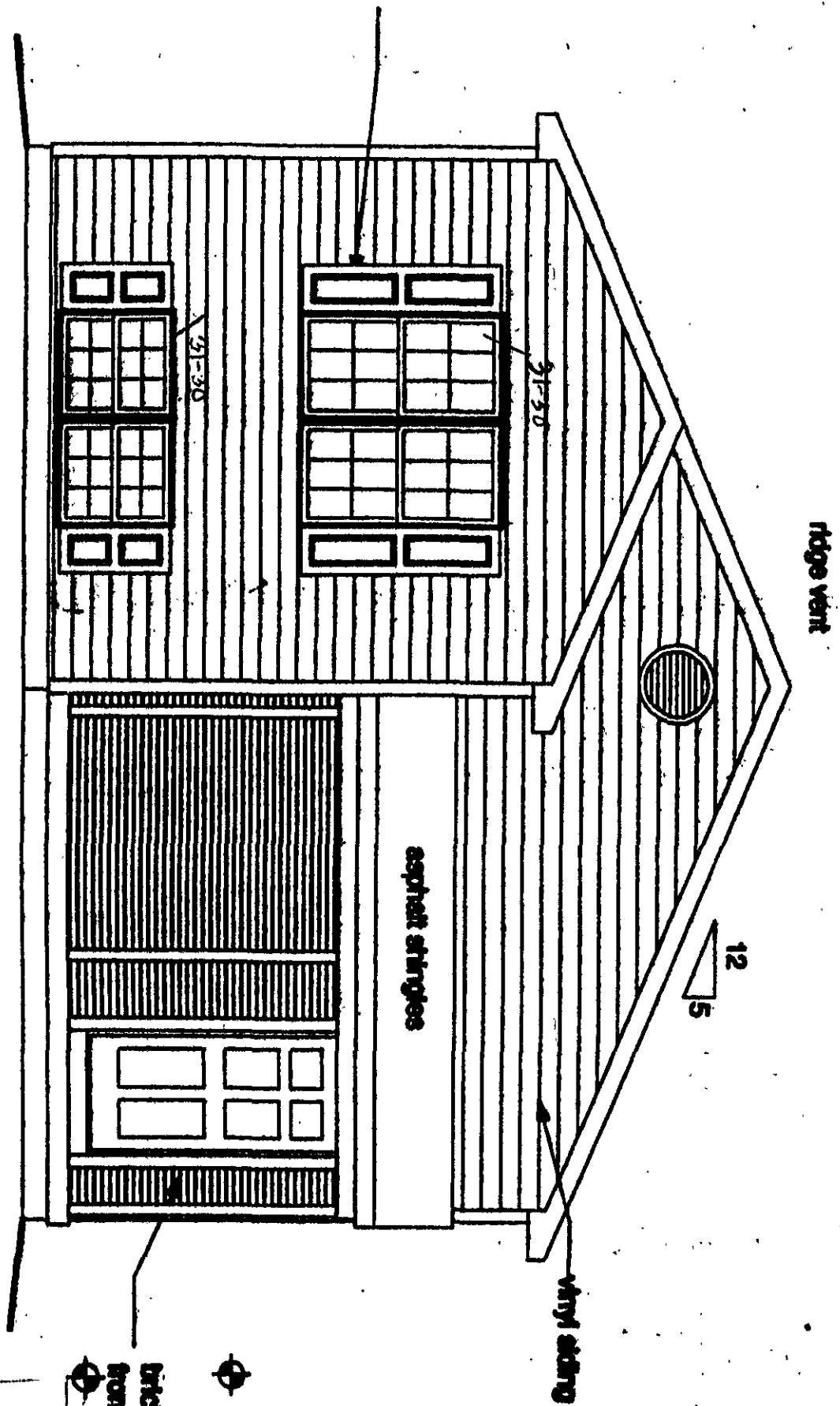
horizontal
7/16"
on 2 x
1-13

OFFICE OF PLANNING

approx. 8' above

with

3911 GLENHURST Rd.
SH7. 2 of 3



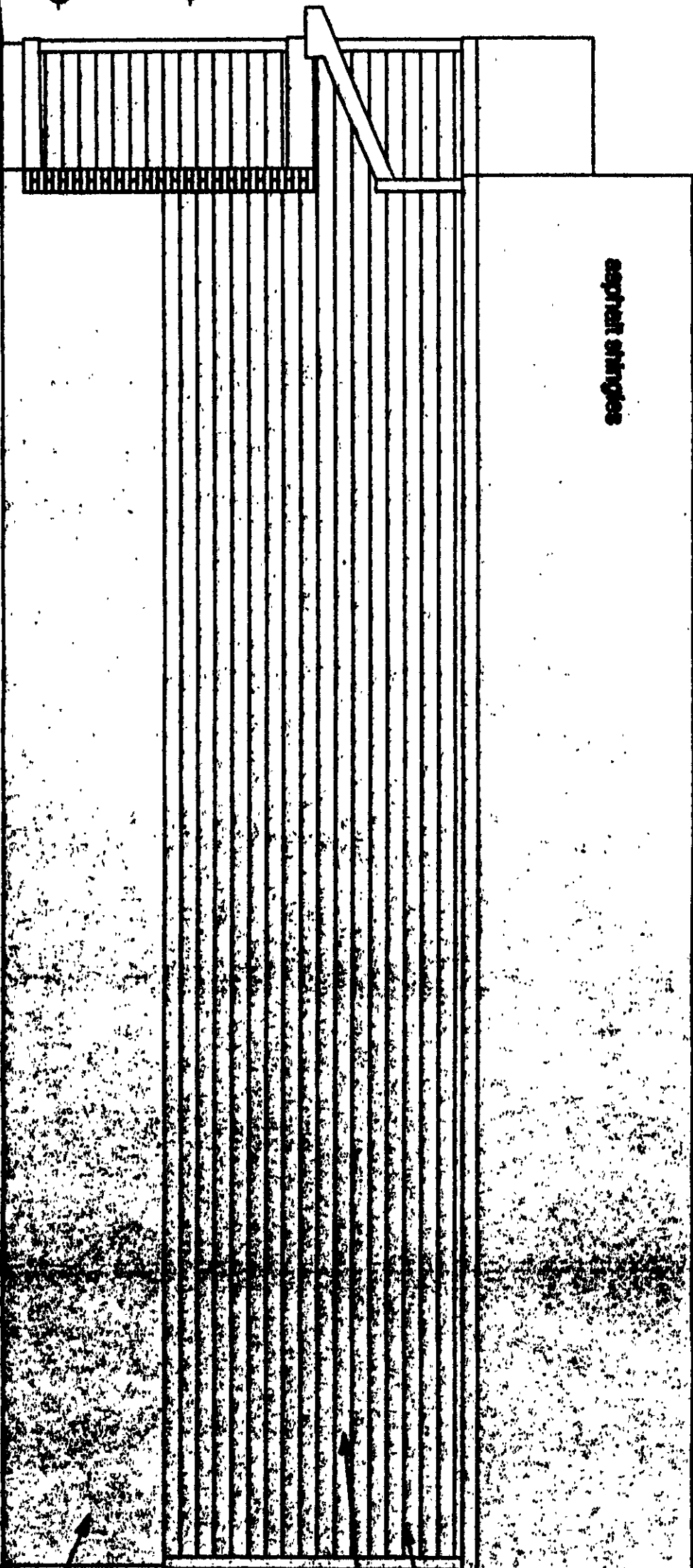
FRONT ELEVATION

JUN 15 1998

3911 GLENHURST Rd.
SHT. 3 of 3

ridge vent

asphalt shingles

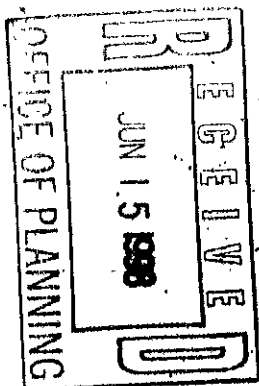


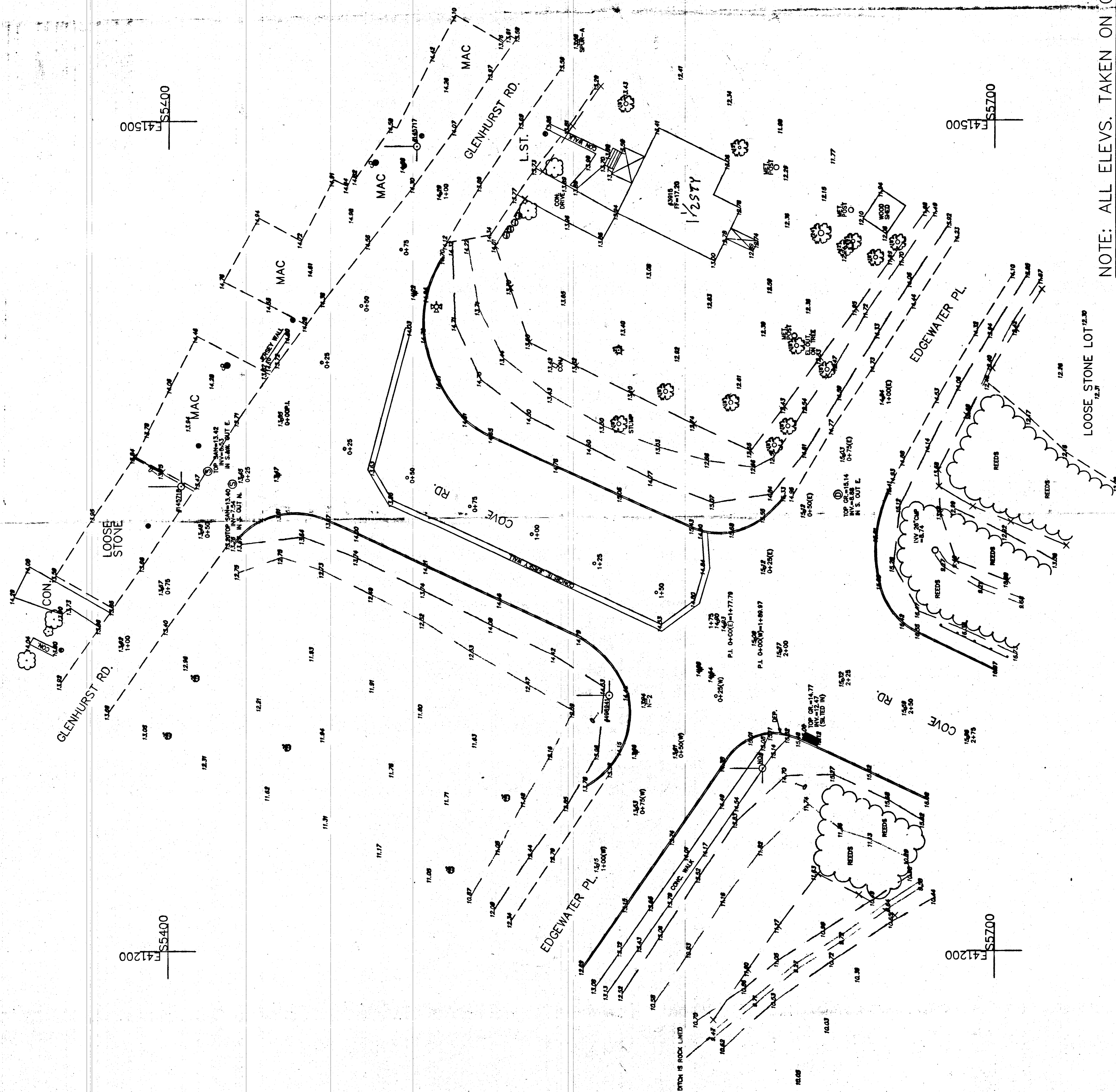
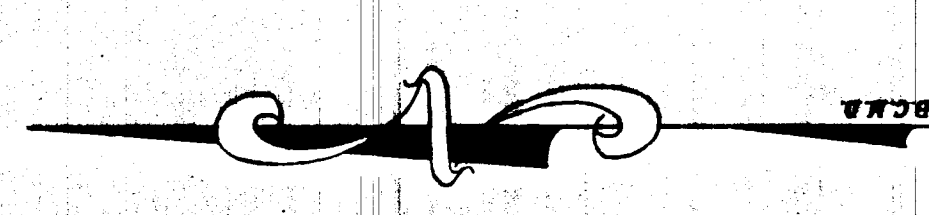
vinyl siding

vinyl siding

brick veneer
from side of

RIGHT ELEVATION





PETITIONER'S
EXHIBIT 3

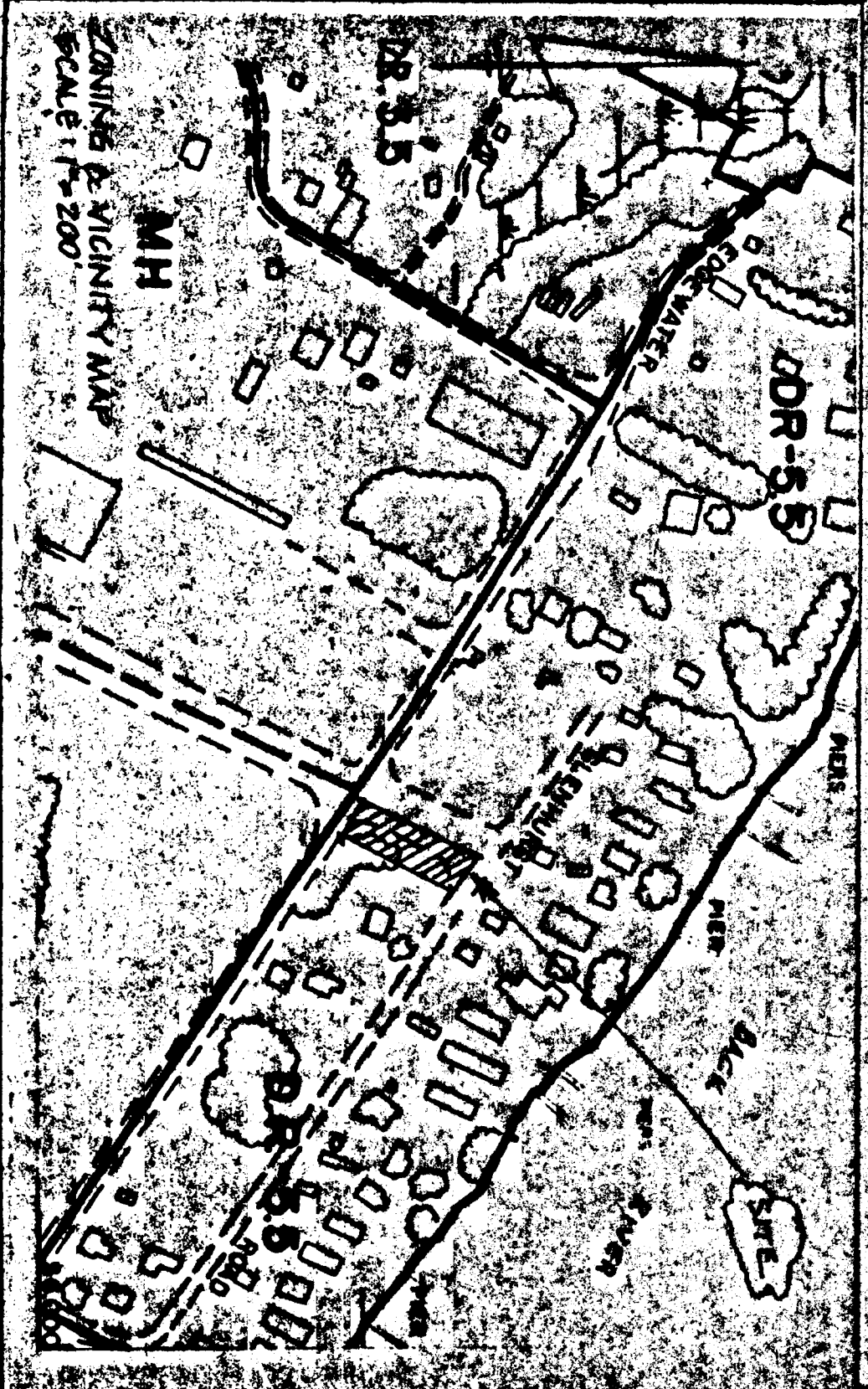
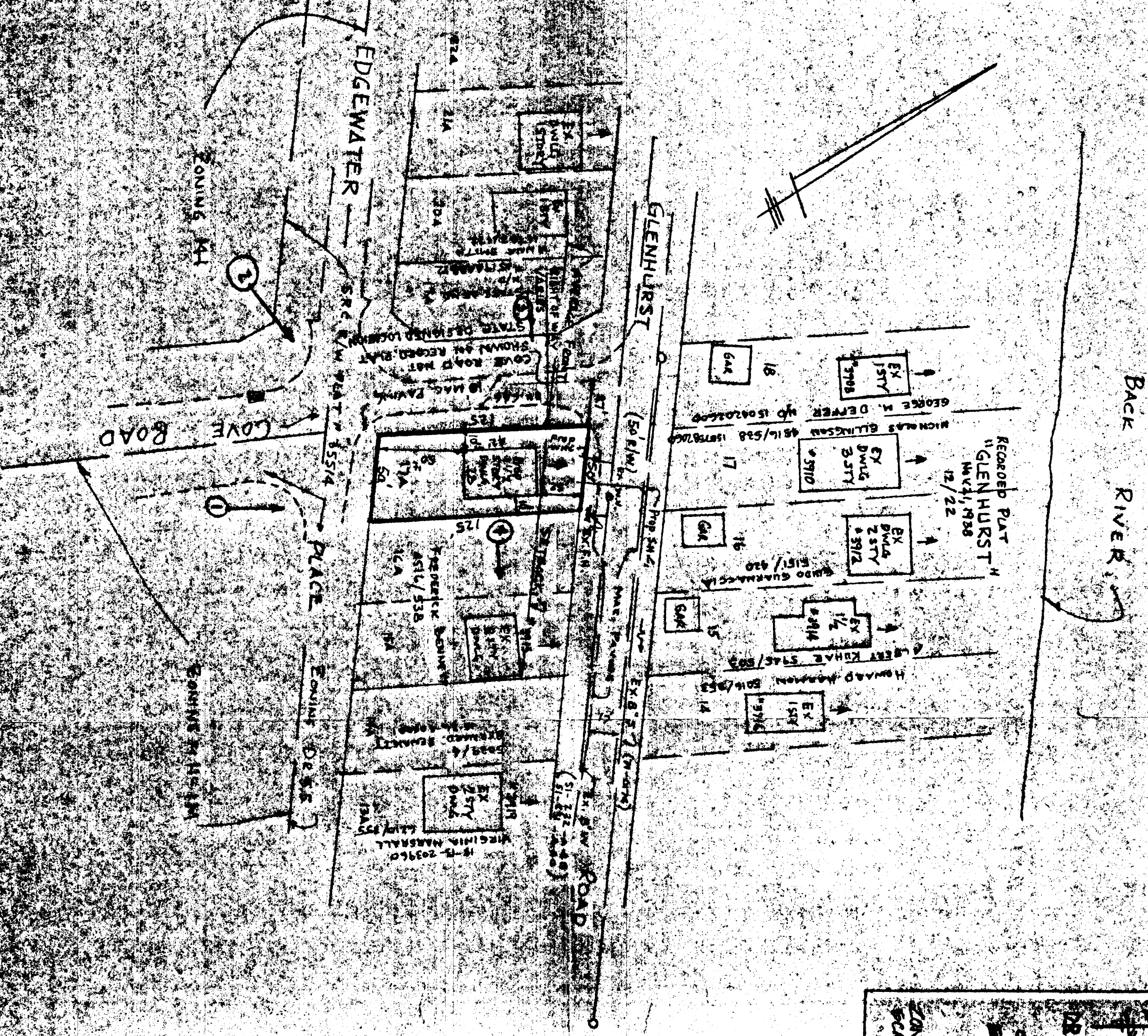
NOTE: ALL ELEV. TAKEN ON CURBS WERE TAKEN ON TOP CURB

PROJECT: NE LIMIT S5500 E41550		COORDINATE: 15 07		DATE: 5-288-98		SHEET(S) NOS.: 6 SE 28	
KEY SHEET: E N.W.		PART OF POSITION: TOPOGRAPHY		DATE: 11/95		SCALE: 1"=20'	
SHEET 1 OF 1		PARTY: NELSON		SURVEY: 189-95		CHIEF: NELSON	
PROJECT: SW LIMIT S5750 E41150		PROJECT: SW LIMIT S5750 E41150		PROJECT: SW LIMIT S5750 E41150		PROJECT: SW LIMIT S5750 E41150	

MICROFILMED



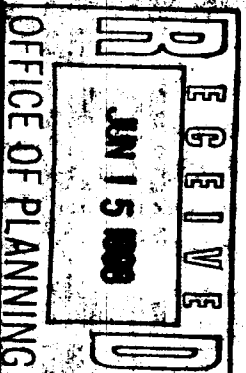
OFFICE OF PLANNING AND DEVELOPMENT
CITY OF SAN FRANCISCO



LOCATION INFORMATION

1. COUNCILMANIC DISTRICT - 7
2. ELECTION DISTRICT - 15
3. 1" = 200' SCALE MAP - S.E. 29
4. ZONING - DR-55
5. LOT SIZE - 6,153⁸/₁₀ 0.14 Acre ±
6. SEWER - PUBLIC
7. WATER - PUBLIC
8. ESCAPEWAY DAY CRITICAL AREA - YES
9. NO PRIOR ZONING HEARINGS
10. NO STREAMS, STORMWATER MANAGEMENT SYSTEMS, DRAINAGE OR PIPE SYSTEMS WITHIN 50' OF THIS PROPERTY
11. NO 100-YR FLOODPLAIN LOCATED ON THIS SITE
12. EXISTING USE - VACANT
13. PROPOSED USE - SINGLE FAMILY DWG.

PLAT TO ACCOMPANY PETITION
FOR
ZONING VARIANCE
AND
UNDER SIZE LOT
3911 GLENHURST ROAD
OWNER: RICHARD J. DINK DIPASQUALE
SCALE: 1" = 50'
JUNE 16, 1998



RECEIVED
JUN 15 1998
OFFICE OF PLANNING
ZONING, OFFICE USE ONLY
REVIEWED ITEM# CASE#
98-5061